

68-7-19. Transfer of a refillable prescription between pharmacies. (a) As used in K.S.A. 65-1656, and amendments thereto, the requested or transferring pharmacy is that pharmacy which has on file the original refillable prescription that the patient wishes to transfer to a second pharmacy. The dispensing or requesting pharmacy is the pharmacy that is wanting the information transferred from the original refillable prescription so that the patient may obtain the medication at this second pharmacy or the pharmacy receiving the transferred prescription.

(b) Valid refillable prescriptions for prescription drugs not listed in schedule II of the uniform controlled substances act may be transferred either by direct communications between ~~two~~ licensed pharmacists or interns from one pharmacy to another pharmacy or by a licensed pharmacist or intern operating a suitable electronic device. Before any prescription is ~~transferred~~ transferred, the prescription information at the transferring pharmacy shall meet all of the following criteria:

- (1) The prescription information indicates authorization for refilling by the prescriber.
- (2) The drug on the prescription information is not a schedule II controlled substance.
- (3) The number of lawfully allowable refills directed by the prescriber has not been exceeded.
- (4) The maximum allowable time limit from the original dating of the prescription has not been exceeded.

(c) When a prescription on record is transferred, the following record keeping shall be required:

(1)(A) If the transfer involves a noncontrolled substance, the pharmacist or intern at the transferring pharmacy shall perform the following:

(i) Cancel the transferred prescription by writing the word "void" on its face; and

(ii) record on the face of the prescription the name and address of the pharmacy to which the prescription was transferred, the date of the transfer request, the full name of the pharmacist or intern to which the prescription was transferred, and the full name of the pharmacist or intern transferring the prescription.

(B) If the pharmacy from which the prescription is transferred utilizes a computerized prescription record-keeping system adequate to do so, the transferring pharmacist or intern may record the information required by paragraphs (1)(A)(i) and (ii) in the computer record of the prescription instead of recording the information on the face of the prescription.

(C) Transferring pharmacies that have computerized record-keeping systems that permit requesting pharmacies to electronically transfer prescriptions and prescription information from the transferring pharmacy to the requesting pharmacy shall establish procedures to permit these transfers only in instances of valid and legal requests and to insure that the prescription information required by subsection (b) is available to the requesting pharmacy at the time of the electronic transfer.

(D) If the requesting pharmacy is transferring a prescription and prescription information from another pharmacy without communicating directly with a pharmacist or intern at the transferring pharmacy, the pharmacist or intern at the requesting pharmacy shall insure that there is a sufficient electronic record left at the transferring pharmacy so that a pharmacist or intern at

the transferring pharmacy can comply with the record-keeping requirements of K.S.A. 65-1656, and amendments thereto, and these regulations.

(2)(A) If the transfer involves a C-III, IV, or V controlled substance, the pharmacist or intern at the transferring pharmacy shall perform the following:

(i) Cancel the transferred prescription by writing the word "void" on its face; and

(ii) record on the back of the prescription the name, address, and DEA registration number of the pharmacy to which the prescription was transferred, the date of the transfer request, the full name of the pharmacist or intern to which the prescription was transferred, and the full name of the pharmacist or intern transferring the prescription.

(B) Transferring pharmacies that have computerized prescription record-keeping systems that permit requesting pharmacies to electronically transfer prescriptions and prescription information from the transferring pharmacy to the requesting pharmacy shall establish procedures to permit these transfers only in instances of valid and legal requests and to insure that the prescription information required by subsection (b) is available to the pharmacist or intern at the requesting pharmacy at the time of the electronic transfer.

(C) If the requesting pharmacy is transferring a prescription and prescription information from another pharmacy without communicating directly with a pharmacist or intern at the transferring pharmacy, the pharmacist or intern at the requesting pharmacy shall insure that there is a sufficient electronic record left at the transferring pharmacy so that a pharmacist or intern at the transferring pharmacy can comply with the record-keeping requirements of K.S.A. 65-1656, and amendments thereto, and these regulations.

(3) The prescription record at the pharmacy receiving the transferred prescription shall show the following, in addition to all other lawfully required information of an original prescription:

(A) The word "transfer" written on the face of the prescription record;

(B) the date of original issuance and the date of original filling, if different from the issuance date;

(C) the original number of refills authorized, the number of remaining authorized refills, and the date of last refill;

(D) the original prescription number;

(E) the name, address, and telephone number of the transferring pharmacy, and the name of the transferring pharmacist or intern;

(F) the name, address, and telephone number of the prescriber; and

(G) if the transfer involves a C-III, IV, or V controlled substance, the DEA registration number of the prescriber and of the transferring pharmacy.

(4) If the transfer involves a noncontrolled substance and the pharmacy to which the prescription is transferred utilizes a computerized prescription record-keeping system adequate to do so, the receiving pharmacist or intern may record the information required by paragraphs (3)(A) through (F) in the computer record of the prescription instead of otherwise recording the information.

(d) If two or more pharmacies use common electronic prescription files to maintain dispensing information and do not physically transfer prescriptions or information for dispensing

purposes, all pharmacies licensed by the board that have access to these common files shall be responsible to insure that at all times the common files contain at least the following information readily available to any person accessing the file:

- (1) Any authorization for refilling by the prescriber;
- (2) an indication of whether or not the number of lawfully allowable refills authorized by the prescriber has been exceeded;
- (3) an indication of whether or not the maximum allowable time limit from the original date of the prescription has been exceeded;
- (4) any other information provided by the original prescription or prescription order; and
- (5) the name and address of the pharmacy last dispensing the drug pursuant to the prescription.

(e) The dispensing pharmacy shall advise the patient and notify the transferring pharmacy that the original prescription shall be canceled in the transferring pharmacy.

(f) A Kansas pharmacist or intern may transfer a valid, refillable prescription from or to another pharmacy in or outside the state of Kansas. Noncontrolled substance prescriptions may be transferred more than once, but C-III, IV, and V controlled substance prescriptions shall not be transferred more than one time. (Authorized by and implementing K.S.A. ~~1998-Supp.~~ 65-1656; effective March 29, 1993; amended July 23, 1999; amended P-_____.)